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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

TMM, INC., a Nevada Corporation,
Plaintiffs,

CASE NO.: 2:12-cv-01817-GNM-PAL

v.

BROADCLIP, INC. dba FLYCAST, INC., a
Pennsylvania Corporation; CHARLES
MARIEA, individually; DEAN MARIEA,
individually, DIGITAL DEFINITION, LLC,
an Ohio Corporation; and DOES 1-100; and
ROE CORPORATIONS 101-200,

Defendants.

STIPULATION AND ORDER TO
REMAND TO STATE COURT

Plaintiff TMM, INC. ("TMMI" or "Plaintiff"), by and through its attorneys of record, MICHAEL B. LEE, P.C., and Defendants CHARLES MARIEA, DEAN MARIEA, and DIGITAL DEFINITION, LLC ("collectively referred to as "Defendants") ("Plaintiff" and "Defendants" are collectively referred to as "Parties"), by and through their counsel of record, WEIDE & MILLER, LTD., hereby agree and stipulate as follows:

1. That Defendants were served with the Complaint on September 27, 2012. However, the Parties commenced in settlement discussions that continued to the present time.

2. That removal of this matter was based on diversity of citizenship by Defendant BROADCLIP, INC. dba FLYCAST, INC ("FlyCast") based on the out-of-state domicile of FlyCast. While Defendants are out-of-state residents, Defendants were not going to agree to the removal of this action to federal court.

3. Plaintiff notified FlyCast that Defendants were unlikely to agree to the removal, and it was mutually understood that this matter would be remanded if settlement with Defendants

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1 was unsuccessful. Since then, Plaintiff successfully reached a settlement with FlyCast, although
2 settlement with Defendants was unfruitful.

3 4. That there are no federal claims in this action.

4 5. Defendants were properly served in the state court action.

5 6. Defendants refuse to join in the notice of removal filed by FlyCast.

6 7. Plaintiff has a separate action against Defendants in state court, and the Parties
7 intend on consolidating those two matters into a single case.

8 Dated this 23 day of May, 2013.

Dated this 23 day of May, 2013.

9 MICHAEL B. LEE, P.C.

Weide & Miller, Ltd.

10 /s/ Michael Lee
11 MICHAEL B. LEE, ESQ. (NSB 10122)
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17 Attorneys for Plaintiff

/s/ Kendelee Works
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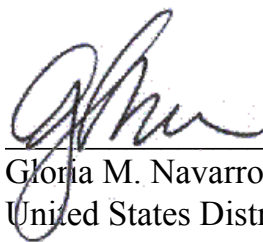
16 **ORDER**

17 Based on the foregoing **STIPULATION AND ORDER TO REMAND TO STATE**
18 **COURT**, IT IS HEREBY ORDERED, ADJUDICATED, AND DECREED that this matter is
19 remanded to state court.

20 **DATED** this 28th day of May, 2013.

21
22
23 Respectfully Submitted By:

24 MICHAEL B. LEE, P.C.



Gloria M. Navarro
United States District Judge

25 /s/ Michael Lee
26 MICHAEL B. LEE, ESQ. (NSB 10122)
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